

Memorandum

Date: December 5, 2000

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To : William J. Keese, Presiding Member
Robert A. Laurie, Associate Member

From : **California Energy Commission** - Lance Shaw
1516 Ninth Street Energy Commission Project Manager
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Subject : **BLYTHE ENERGY PROJECT (99-AFC-8)**
STATUS REPORT #6

Since the last status report (Status Conference on October 6, 2000), the Energy Commission and Western Area Power Administration (Western) staffs have filed the Final Staff Assessment (FSA)/ Environmental Assessment (EA), and the Committee has concluded evidentiary hearings.

The FSA/EA was filed on November 13, 2000. Evidentiary Hearings were conducted by the Committee in Blythe on November 27 and 28. Except for differences in conditions and verifications, "Soil and Water" is the area in which there are substantial unresolved issues:

SOIL AND WATER

Well interference: The remaining issues to be resolved in the area of Soil and Water Resources focus on drawdown that would be caused by project groundwater pumping, and the fact that the water conservation offset program (WCOP) probably will not conserve water in the amount which will be consumed by the plant.

Project drawdown would potentially cause well interference with existing nearby wells, which could be fully mitigated with a financial solution. Staff and Blythe Energy Project disagree on the criteria for defining significant well drawdown impacts and the corresponding mitigative measures.

The Committee has directed staff to provide a brief to be filed on December 8, 2000, to address this unresolved issue. Staff and the applicant appear to disagree on the following:

- *Range of impacts likely to occur,
- *Criteria for determining impacts' significance,
- *Criteria for determining well owners who are to be notified, and
- *Information to be required from well owners who may be impacted.

The following items have not been fully discussed or resolved:

- *Methods of implementing drawdown mitigation,
- *Mechanism for resolving disputes regarding identification of impacts or determination of mitigation, and

*Interim solutions for ensuring continued water supply to impacted parties if disputes cause delays in mitigation.

The applicant proposed in its supplemental testimony, in the pre-hearing workshop, and in testimony that measured changes in groundwater levels should be used to determine impacts. However, later during cross-examination, the applicant proposed to use the results of site-specific aquifer tests to determine impacts. This is the method staff has recommended. The following issues are unresolved or are topics of disagreement:

*What methods of analyzing measured changes in groundwater levels ought to be used to identify the portion of the drawdown changes that are caused by project pumping, and not from other factors?

*What are the trigger criteria for initiating mitigation?

*What factors ought to be taken into account in determining timing of the implementation of mitigation?

*How long should the monitoring program be kept in place?

*What factors should be used to decide when monitoring should terminate?

Water Conservation Offset Program (WCOP): After the pre-hearing conference, the applicant supplied staff with its Long-term Irrigation Rights Agreement (LTIRA). This LTIRA is between the City of Blythe and the project owner. The LTIRA allows the authorized use of Colorado River water by the project. The stated concern of the U.S. Bureau of Reclamation (USBR) and the Palo Verde Irrigation District (PVID) is that the project's water use be accounted for under PVID's Colorado River entitlement. This complies with the laws, ordinances, regulations, and standards (LORS). Land included in the LTIRA has been out of agricultural production for 10 to 20 years, therefore no significant land use impacts are expected. Though staff found the project's water use has no significant impact, the WCOP is a USBR requirement.

Staff has been directed by the Committee to provide a brief to be filed on December 8, 2000, to address the well interference issue. Staff is still working on this issue (FSA/EA Condition 7 and its verification). Staff will most probably provide one set of conditions and verification for nearby individual well owners, (i.e., within two miles of the proposed plant site). Staff is considering other drawdown mitigation measures for the community of Mesa Verde (a.k.a. Nicholls Warm Springs). This community of more than 1100 people has one well. This well's water flow rate is barely adequate to supply the people there.

cc: Blythe Energy Project Proof of Service list